

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES R. SMITH,	:	
Plaintiff	:	
	:	
v.	:	No. 1:18-cv-01751
	:	
RICKEY L. SHERMAN <u>et al.</u>,	:	(Judge Rambo)
Defendants	:	

ORDER

AND NOW, on this 29th day of November 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 5), construed as a motion to proceed without the full prepayment of costs and filing fees, is **GRANTED** and the complaint is deemed filed;
2. Plaintiff's complaint (Doc. No. 1-1), is **DISMISSED** for failure to state a claim upon which relief may be granted pursuant to the screening provisions of the PLRA;
3. Plaintiff is not permitted leave to file an amended complaint as any amended complaint would be futile; and
4. The Clerk of Court is directed to **CLOSE** this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge